

# The Mississippi Jury Verdict Reporter

The Most Current and Complete Summary of Mississippi Jury Verdicts

September 2022

Statewide Jury Verdict Coverage

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## Civil Jury Verdicts

Timely coverage of civil jury verdicts in Mississippi including court, division, presiding judge, parties, case number, attorneys and results. Notable results from the southern region, including Memphis and New Orleans, are also covered.

## Medical Malpractice - The

**plaintiff, who was rehabbing at a nursing home from an below-the-knee amputation, fell while transferring from his bed to a wheelchair with a slide board and struck his head – he died a month later of a brain injury purportedly sustained in the fall – his estate blamed the fall on the hospital for failing to supervise and assist the plaintiff which then led to the fall – the hospital denied extra assistance was required and also argued the brain bleed was spontaneous rather than traumatic**

*Howard v. Natchez Rehabilitation and Healthcare Center, 20-80*

Plaintiff: R. Paul Williams, III, Matt Newman and Courtney M. Williams, *Williams Newman Williams*, Jackson  
Defense: Rebecca Adelman and Kaitlyn E. Tucker, *Adelman Law Firm*, Memphis, TN

Verdict: \$1,276,818 for plaintiff

Court: **Adams**

Judge: Forrest A. Johnson  
(Special)

Date: 5-26-22

Glen Howard, age 60, underwent a below-the-knee amputation in early 2020. The amputation was related to long-standing diabetes. Howard was then admitted to Natchez Rehabilitation and Healthcare on 1-10-20, a nursing home, to rehab after the amputation and in preparation for the fitting of a prosthesis so he could live independently at home.

There was proof that Howard's care plan required that he have assistance when moving because of his high risk of falling. Howard had

a first fall on 1-28-20 when moving to a toilet.

On Howard's 36<sup>th</sup> day at Natchez Healthcare, 2-15-20, he was going to breakfast and attempted a transfer with a slide board from his bed to a wheelchair. He was alone at the time.

Howard reported he fell backwards and struck his head on the wall. There were no witnesses to his fall. A few hours later Howard was vomiting and showed signs of a head injury. He was taken to a local hospital in Natchez where a brain bleed was identified.

Howard was then airlifted to UMMC in Jackson where he was treated by Dr. Adam Lewis, Neurosurgery. Lewis identified a subdural hematoma. He believed it was traumatic in nature. Howard died of his head injury a month later on 3-21-20.

Howard's estate sued Natchez Healthcare and alleged it violated the standard of care in two ways, (1) it failed to have staff present when he was moved because he could not make transfers independently, and (2) the slide board and wheelchair should have been out of his reach because of his impulsive behavior. The estate's liability expert was Kathleen Hill-O'Neill, Nursing, Brigantine, NJ.

The estate drew causation to the brain injury from both Lewis and a retained expert, Dr. Keith Miller, Center, TX. If the estate prevailed it sought Howard's medical bills and funeral expense as well as sums for his pain and suffering and the loss of companionship of his "wrongful death beneficiaries," namely, his two